

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EXXONMOBIL OIL CORPORATION,)	
A New York Corporation)	
)	
Plaintiff,)	
)	
v.)	Case No. 08 CV 3064
)	
D CONSTRUCTION MANAGEMENT)	Judge Norgle
COMPANY, INC., an Illinois Corporation, and)	
PT FERRO CONSTRUCTION COMPANY,)	Magistrate Judge Schenkier
INC., An Illinois Corporation, and)	
TRANSYSTEMS CORPORATION, a)	
Missouri Corporation, and CONSOER)	
TOWNSEND ENVIRODYNE ENGINEERS,)	
INC., a Delaware Corporation)	
)	
Defendants.)	

**DEFENDANT CONSOER TOWNSEND ENVIRODYNE ENGINEERS' MOTION FOR
EXTENSION OF TIME TO ANSWER**

Defendant Consoer Townsend Envirodyne Engineers, Inc. ("CTE"), through its counsel, Seyfarth Shaw LLP, moves this Court to grant CTE an extension of time, until August 4, 2008, in which to file an answer to Plaintiff's Complaint. In support thereof, CTE states as follows:

1. On May 28, 2008, Plaintiff ExxonMobil Oil Corp. ("Exxon"), filed its five count complaint seeking to hold each of the defendants responsible for property damaged it incurred when its underground utility lines were struck during the construction of the replacement and widening of Arsenal Road (the "Project").

2. On June 26, 2008, CTE filed its Motion to Dismiss Count V of the Complaint, on the basis that the contract for services governing the scope of CTE's work in connection with the Project contains no obligations that would subject CTE to liability as alleged in Exxon's Complaint.

3. On July 10, 2008, this Court denied CTE's Motion to Dismiss stating that such motion was premature. At that time, the Court also ordered that CTE shall answer or otherwise plead by July 28, 2008.

4. Due to the press of business and CTE's lead counsel's planned trip over the week of July 21, 2008, CTE respectfully requests additional time to prepare its Answer.

5. On July 15, 2008, counsel for CTE, Marcus L. Mintz, contacted counsel for Exxon, Franklin Andreano, regarding this motion, and was advised that Exxon has no objection to this extension.

6. This request is not intended to delay these proceedings.

WHEREFORE, Defendant Consoer Townsend Envirodyne Engineers, Inc. requests this Court to enter an Order extending the time by which CTE must file its answer to Exxon's Complaint to and including August 4, 2008, and for any other appropriate relief. A draft Order is attached to this Motion.

Respectfully submitted,

/s/ Marcus L. Mintz

Scott J. Smith (# 6238132)

Marcus L. Mintz (#6290255)

Seyfarth Shaw LLP

131 S. Dearborn St.

Suite 2400

Chicago, IL 60603-5803

Telephone: (312) 460-5000

Facsimile: (312) 460-7000

*Attorneys for Defendant Consoer Townsend
Envirodyne Engineers, Inc.*

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ORDER

The Court having considered DEFENDANT CONSOER TOWNSEND ENVIRODYNE ENGINEERS' MOTION FOR EXTENSION OF TIME TO ANSWER, and for good cause shown,

IT IS HEREBY ORDERED that the time within which Defendant Consoer Townsend Envirodyne Engineers, Inc. may file their Answer is hereby extended through and including August 4, 2008.

SO ORDERED this _____ day of July, 2008.

HON. CHARLES R. NORGLÉ
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on July 16, 2008, I electronically transmitted the **Motion of Consoer Townsend Envirodyne Engineers, Inc. for Extension of Time to Answer** to the Clerk of Court using the ECF System for filing.

/s/ Marcus L. Mintz

Marcus L. Mintz